

**RCW 26.28.080**

**Selling or giving tobacco to minor -- Belief of representative capacity, no defense -- Penalty.**

Every person who sells or gives, or permits to be sold or given to any person under the age of eighteen years any cigar, cigarette, cigarette paper or wrapper, or tobacco in any form is guilty of a gross misdemeanor.

It shall be no defense to a prosecution for a violation of this section that the person acted, or was believed by the defendant to act, as agent or representative of another.

[1994 sp.s. c 7 § 437. Prior: 1987 c 250 § 2; 1987 c 204 § 1; 1971 ex.s. c 292 § 37; 1919 c 17 § 1; 1911 c 133 § 1; 1909 ex.s. c 27 § 1; 1909 c 249 § 193; 1901 c 122 § 1; 1895 c 126 §§ 1, 3 and 4; RRS § 2445. Formerly [RCW 26.08.080](#), [26.08.090](#), and [26.08.100](#).]

**NOTES:**

**Finding -- Intent -- Severability -- 1994 sp.s. c 7:** See notes following [RCW 43.70.540](#).

**Effective date -- 1994 sp.s. c 7 §§ 401-410, 413-416, 418-437, and 439-460:** See note following [RCW 9.41.010](#).

**Severability -- 1971 ex.s. c 292:** See note following [RCW 26.28.010](#).

Juvenile courts and juvenile offenders: Title 13 RCW.Minors, access to tobacco, role of liquor control board: [Chapter 70.155 RCW](#).